

1AP7 Rec'd PCT/PTO 07 APR 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER LDR/12/US / AK 165456
INTERNATIONAL APPLICATION NO. PCT/IB2004/003244		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/575065
INTERNATIONAL FILING DATE 06 October 2004		PRIORITY DATE CLAIMED 09 October 2003
TITLE OF INVENTION Device and Method for Sectioning a Vertebral Lamina		
APPLICANT(S) FOR DO/EO/US Paolo MANGIONE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 3

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1AP20 Rec'd 07 APR 2006

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/575065</div>	INTERNATIONAL APPLICATION NO. PCT/IB2004/003244	ATTORNEY'S DOCKET NUMBER LDR/12/US / AK 165456
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20. Other items or information:

International Search Report from PCT/IB2004/003244
 Foreign Reference: JP 2002-282263 (with translation)
 Return Postcard

Information Disclosure Statement Cover Sheet
 Certificate of Mailing

The following fees have been submitted	CALCULATIONS	PTO USE ONLY																
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300	\$ 300																	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))																		
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .. \$0 All other situations .. \$200	\$ 200																	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))																		
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .. \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .. \$400 All other situations \$500	\$ 400																	
TOTAL OF 21, 22 and 23 =	\$ 900																	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																		
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>18 - 100 =</td> <td>/50 =</td> <td></td> <td>x \$250</td> </tr> </tbody> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	18 - 100 =	/50 =		x \$250	\$ 0									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE															
18 - 100 =	/50 =		x \$250															
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$ 130																	
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>10 - 20 =</td> <td>9</td> <td>x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$200</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360</td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	10 - 20 =	9	x \$ 50	Independent claims	1 - 3 =	0	x \$200	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 360	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	10 - 20 =	9	x \$ 50															
Independent claims	1 - 3 =	0	x \$200															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360															
TOTAL OF ABOVE CALCULATIONS =	\$ 1390																	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.																		
SUBTOTAL =	\$ 695																	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$ 0																	
TOTAL NATIONAL FEE =	\$ 695																	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$																	
TOTAL FEES ENCLOSED =	\$ 695																	
	Amount to be refunded:	\$																
	Amount to be charged	\$ 695																

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-3534 in the amount of \$ 695 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3534. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

J. Scott Denko
Andrews Kurth LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
Phone: (512) 320-3259
Fax: (512) 320-9200

SIGNATURE



J. Scott Denko

NAME

37,606

REGISTRATION NUMBER

1AP20R034707510 07 APR 2006

J. Scott Denko
512/320.9259 Direct
sdenko@andrewskurth.com

April 7, 2006

VIA EXPRESS MAIL NO. EV760876672US

Mail Stop - PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: New PCT Application entitled "*Device and Method for Sectioning a Vertebral Lamina*," Docket No.: LDR/12/US / AK Matter: 165456

Dear Commissioner:

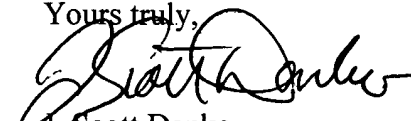
Please find enclosed for filing the following:

1. Transmittal Letter to the U.S. Receiving Office (3 pages) (with duplicate);
2. Copy of the International Application as Published (with duplicate);
3. International Search Report from PCT/IB2004/003244;
4. Information Disclosure Statement (2 pages);
5. Forms PTO/SB/08A (1 sheet) (with duplicate copy);
6. 1 reference;
7. Certificate of Mailing; and
8. A return postcard for confirmation of receipt.

The Commissioner is hereby authorized to charge any fees deemed to be due or credit any overpayment to Deposit Account No. 50-3534, upon which the undersigned is authorized to sign.

Please return the postcard confirming your receipt of the enclosed materials.

Yours truly,


J. Scott Denko
Registration No. 37,606

JSD/at
Encls.

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Certificate of Mailing

I hereby certify the following documents are being deposited with the United States Postal Service via Express Mail EV760876672US with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Transmittal Letter;
2. Transmittal Letter to the U.S. Receiving Office concerning a submission under 35 U.S.C. 371 (3 pages)(with duplicate);
3. Copy of the International Application as Published (with duplicate);
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8. Certificate of Mailing; and
9. A return postcard for confirmation of receipt.

on April 7, 2006
Date



Signature

Angela Trampel
Typed or printed name of person signing Certificate

Registration Number, if applicable

512-320-9200
Telephone Number